

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 15, 2003

D040018 In re. K. S., a Juvenile

The appeal is dismissed. Huffman, Acting P.J.; We Concur: Nares, J., Haller, J.

D042537 In re. Devyn O., a Juvenile

The appeal is dismissed. Benke, Acting P.J.; We Concur: Haller, J., McConnell, J.

D041661 In re Fabian Z., a Juvenile

Christina M.'s appeal is dismissed. The judgment is affirmed. Huffman, Acting P.J.; We Concur: Benke, J., McConnell, J.

D042472 In re Monica M., a Juvenile

The appeal is dismissed. Benke, Acting P.J.; We Concur: Haller, J., McConnell, J.

D040048 People v. Moore

Judgment affirmed. Benke, Acting P.J.; We Concur: McDonald, J., McConnell, J.

**D042365 Clear Channel Broadcasting Inc., et al. v. Superior Court of San Diego
County/Bogdan et al.**

The petition is denied.

D042544 In re Kevin S., a Juvenile

The appeal is dismissed. Benke, Acting P.J.; We Concur: Haller, J., McConnell, J.

D042844 Caras v. Superior Court of San Diego County/Post Kirby Noonan & Sweat

The petition is denied.

D042804 Norwood v. Superior Court of San Diego County/People

The petition is denied.

D042724 In re Williams on Habeas Corpus

The petition is denied.

D042881 Lowen et al. v. Superior Court of Imperial County/Ortega et al.

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 16, 2003

D042413 In re Natasha S., a Juvenile

The appeal is dismissed. Benke, Acting P.J., We Concur: Haller, J., McConnell, J.

D039651 Mercury Books, Inc. v. G&B Emporia, Inc., et al.

The order is affirmed. Nares, Acting P.J.; We Concur: Haller, J., O'Rourke, J.

D042723 Cacho et al. v. Superior Court of San Diego County/Boudreau et al.

The petition is denied. Petitioners have an adequate remedy by way of appeal.

D042477 Brinks Incorporated et al. v. Workers' Compensation Appeal Board/Taylor

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 17, 2003

D040184 People v. Ault

The order is affirmed CERTIFIED FOR PUBLICATION. McConnell, J.; I Concur: McDonald,
I Respectfully Dissent: Benke, Acting P.J.,

D040305 People v. Zamora

We remand to the trial court to calculate Zamora's presentence custody credits under section 4019, to correct the abstract of judgment accordingly, and to forward a corrected copy of the abstract to the Department of Corrections. In all other respects, the judgment is affirmed. O'Rourke, J.;
We Concur: Benke, Acting P.J., Aaron, J.

D040616 People v. Carter

The order is affirmed. McIntyre, Acting P.J.; We Concur: O'Rourke, J., McConnell, J.

D042891 In re Enrique C., a Juvenile

Because there is a reference to a Welfare & Institutions Code section 366.26 hearing, the Notice of Appeal filed September 8, 2003 and assigned Court of Appeal case number D042891 is dismissed.

D042758 In re Cornejo on Habeas Corpus

The petition is denied.

D042727 In re Sullivan on Habeas Corpus

The petition is denied.

D042653 McClenty, Jr. v. Jack In The Box, Inc.

The appeal is dismissed.

D042776 In re Johnson on Habeas Corpus

The petition is denied.

D042634 Matias v. Superior Court of San Diego County/Junco et al.

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 18, 2003

D040295 Kondrick v. Bloomingdale

The judgment is affirmed. Kondrick is awarded his costs of appeal. McIntyre, J.
We Concur: Benke, Acting P.J., McConnell, J.

D041580 People v. Rodriguez

The judgment is affirmed. Benke, Acting P.J.; We Concur: Haller, J., McConnell, J.

D042480 In re DeHaven on Habeas Corpus

The petition is denied.

D042759 In re Brown on Habeas Corpus

The petition is denied.

**D042256 Angela A. et al. v. Superior Court of San Diego County/San Diego County Health
and Human Services Agency**

The petitions are denied. Aaron, J.; We Concur: Huffman, Acting P.J., Haller, J.

D042054 Abatti v. Superior Court of San Diego County/People et al.

Let a writ issue directing the superior court to vacate its order of April 18, 2003, and to conduct an in camera review of the counseling memos of former police officer Torres consistent with the views expressed in this opinion. This decision will become final as to this court 10 days after it is filed. (Cal. Rules of Court, rule 24(b).)9 At that time, the stay issued by this court on May 7, 2003, will be vacated. CERTIFIED FOR PUBLICATION. Huffman, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

**D042856 Susan K. v. Superior Court of San Diego County/San Diego County Health and
Human Services Agency**

The petition is denied.

D042308 In re Oscar M. III et al., a Juvenile

The appeal is dismissed. McIntyre, J.; We Concur: Huffman, Acting P.J., Nares, J.

D042567 In re R.B., a Juvenile

The appeal is dismissed. McConnell, J.; We Concur: Huffman, Acting P.J., Haller, J.

D041827 O'Brien v. Superior Court of San Diego County/O'Brien

Let a writ of mandate issue directing the superior court to vacate its order filed on March 7, 2003, and to enter a new and different order returning the primary physical custody of Alexsa to Mother. The trial court is directed to make appropriate visitation orders in light of our opinion. Mother is awarded costs. Nares, J.; We Concur: Huffman, Acting P.J., McConnell, J.

D042688 In re Hampton on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 19, 2003

D040039 Cardoza v. Studios De La Playa, S.A. De C.V., et al.

The order is affirmed. Respondents are entitled to costs on appeal. McIntyre, J.;
We Concur: Haller, Acting P.J., McDonald, J.

D042435 In re Joseph A., Juveniles

The appeal is dismissed. Nares, J.; We Concur: Huffman, Acting P.J., Haller, J.

D040903 In re Francisca A., a Juvenile

The order is affirmed. Nares, J.; We Concur: Huffman, Acting P.J., Haller, J.

D041300 People v. Escudero

The judgment is affirmed. Aaron, J.; We Concur: Haller, Acting P.J., McIntyre, J.

D041962 People v. Valure

The judgment is affirmed. O'Rourke, J.; We Concur: Huffman, Acting P.J., Haller, J.

D039684 Thueson v. Cosmederm Technologies, Inc., et al.

The judgment is affirmed. O'Rourke, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

D041038 People v. Felicetta

The judgment is affirmed as modified. The trial court shall amend the abstract of judgment to reflect a \$200 restitution find in case No. SCN073980 and advise the Department of Corrections of the amendment. O'Rourke, J.; I Concur: Huffman, Acting P.J., I Concur in the Result: McIntyre, J.

D041637 In re S. B., a Juvenile

The order is affirmed. Aaron, J.; We Concur: McDonald, Acting P.J., McConnell, J.

D042118 In re Maximillion R., a Juvenile

The judgment is affirmed. McDonald, J.; We Concur: Benke, Acting P.J., Haller, J.

D039704 Bazar et al. v. Calder

The judgment and the post-judgment order are affirmed. Aaron, J.; We Concur: Benke, Acting P.J., McIntyre, J.

D042564 In re Franklin F., a Juvenile

The appeal is dismissed. Haller, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

D040868 Rodriguez et al. v. Morgan Stanley DW Inc., et al.

The request for publication of the opinion is denied.

D037485 People v. Athar

The judgment is affirmed. O'Rourke, J.; I Concur: McConnell, J., I Dissent (by opinion): McDonald, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 19, 2003 (Continued)

D042748 Hester H. v. Superior Court of the County of San Diego/San Diego County Health and Human Services Agency

The attorney for petitioner Hester H. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues. The case is dismissed.

D041179 In re Alyssa F., a Juvenile

The jurisdictional and dispositional orders, all subsequent orders, and the judgment terminating Pedro's and Christina's parental rights are reversed and vacated. The court is directed to hold a special hearing to determine whether it had continuing subject matter jurisdiction over the matter as of January 2001 under the Uniform Child Custody Jurisdiction and Enforcement Act. After determining whether it had subject matter jurisdiction as of January 2001, the court shall proceed in accordance with the directions set forth in this opinion. Aaron, J.; We Concur: Benke, Acting P.J., Haller, J.

D042751 Leticia G. v. Superior Court of the County of San Diego/San Diego County Health and Human Services Agency

The attorney for petitioner Leticia G. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues. The case is dismissed.

D039848 People v. Odom

The judgment is affirmed. Nares, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D041985 In re Natasja P., a Juvenile

The appeal is dismissed.